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Attorney for Debtor

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In Re: JOANNE VONDRACEK

Case No. 11-44032-E-13C
Docket Control No. MWB-2

MOTION TO VALUE
COLLATERAL OF
PAT KELLY RE
SECOND DEED OF TRUST

DATE: December 6, 2011
TIME: 2:00 pm
JUDGE: SARGIS
ROOM: 33

Debtor.

**Local Rule 9014-1
11 USC § 506**

TO THE HONORABLE JUDGE RONALD H. SARGIS:

Debtor, JOANNE VONDRAKEC, by and through her attorney, MARK W. BRIDEN,
hereby move the Court for an Order Valuing the collateral of Pat Kelly regarding the Second
Deed of Trust, on property at 1675 Oak St., Oroville, CA, as follows:

1. The above referenced Chapter 13 case was filed on October 6, 2011. David P. Cusick has been appointed Chapter 13 Trustee.

2. Debtors assets include her property located at 1675 Oak St, Oroville, California which property bears Butte County Assessors Parcel Number 012-146-13-000.

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7 3. The secured debt of Pat Kelly, regarding the Second Deed of Trust, on said collateral

8 was duly listed in Schedule D.

9 4. The liens against this property are as follows:

10 a) Lundelius Family Trust, First Deed of Trust; \$154,000.00;

11 b) Pat Kelly, Second Deed of Trust; \$30,000.00; and

12 c) Valley Financial, Third Deed of Trust; \$40,000.00.

13 5. Debtor hereby requests this Court enter an Order Valuing the subject property at
14 \$100,000.00. Because the Senior Lien of The Lundelius Family Trust regarding the First Deed
15 of Trust, exceeds the value of the subject property, debtor requests the Court value the secured
16 claim of creditor Pat Kelly, as to Second Trust Deed on their personal residence, at zero
17 dollars.

18 6. As evidence of the value of the collateral at issue debtor hereby offers a Declaration of
19 Debtor in Support of Motion to Value Collateral. Attached to Exhibit "A" and incorporated
20 herein by this reference, is a true and correct copy of the filed Attachment M-3.

21 WHEREFORE, debtor respectfully request an Order Valuing the subject property at
22 \$100,000.00, and that the Court enter an Order Valuing the collateral consisting of real property
23 At 1675 Oak St, Oroville, California, and secured claim of Pat Kelly, regarding the Second Deed
24 of Trust, at zero dollars.

25 DATED: November 2, 2011

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27 MARK W. BRIDEN
28 ATTORNEY FOR DEBTOR
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